10 PAGES

LAST EDITION.

TOPEKA, KANSAS, JANUARY 6, 1910.

THURSDAY EVENING.

TWO CENTS.

Attorney General Wickersham in Report to Tait

Says Megalomania Is What He Was Afflicted With.

HE WAS NOT IMBUED

With a Deep Sense of Patriotic Duty

Washington, Jan. 6.-Louis R. Glavis. formerly chief of the field division of charges against Secretary of the Interior Richard A. Ballinger and others

the case were sent to congress in re-sponse to a resolution of Senator Flint of California.

The attorney general's statement recites the charges preferred against Ballinger by Glavis on August 18, reviews the status of the Cunningham group of coal land claims in Alaska, states Ballinger's relations with the claimants, cites the laws bearing on the case, quotes many letters written by Glavis and others in regard to the claims and the resultant controversy and draws the following conclusions:

His Conclusions. "The conclusions which, in my opin

lon, are very clearly established by these papers, are as follows: "First—The insinuations or charges of "Seventh—The action of each and "First—The insinuations or charges of improper action on the part of Secretary Ballinger. Assistant Secretary Pierce, Commissioner Dennett, or Chief of Field Division Schwartz are in my an investigation which was prolonged opinion entirely disproved. So far from taking any action to favor the Cuningham claimants, the record clearly shows that Secretary Ballinger was surupulously careful not in any respect disposal by the land office, should be a completed and ready for the rest been completed and ready for to act upon these claims, for the reason that during the summer of 1908, trial not later than the autumn of while he was in no manner connected 1908. The claimants were entitled to with the government, he had been con- have the objection to their claims

The Harlan Case.

"In the case of W. D. Harlan, Secretary of the Interior Smith, in a well reasoned opinion, held that the words claim against the United States' as used in that section, must be construed to mean a money demand against the United States. An earlier decision which gave a wider application to the words, was overruled.

"Third—The Cunningham locations were made in July and August, 1904. All but three of them proceeded to entry prior to May 1, 1907, and the remaining three in October, 1907, payments aggregating \$52,800 being made and covered into the treasury.

"The government has had an abundance of time to investigate the validity

"The government has had an abundance of time to investigate the validity of these entries. The entrymen are certainly suitted to know with reasonable promptnes: the objections to issuing totents on their claims tail to have such objections disposed of within a reasonable time. The attention of the and office was specifically directed to their claims in August, 1907. They were investigated by Agents Love and Jones. They were put in Mr. (Havis') Jones. They were put in Mr. Glavis' hands, together with the investigation of all other Alaska coal lands locations and entries in January, 1908. He hal the benefit of the report of Messrs. Love and Jones. All the essential facts relating to the claims seem to have been ascertained by him in the spring of 1908. Indeed, the claimants do not of 1998. Indeed, the claimants do not appear to have made any concealment of the facts upon which their claims depend. Except during a period of not exceeding two months (April and May, 1998) when proceedings were suspended owing to the exhaustion of the appropriation Glavis had upward of trapriation Glavis had upward years in which to complete his investi-gations. He was furnished by the land office with all the assistance which he requested. All efforts to induce him to bring his investigation to a conclusion were met only with requests for further assistance, coupled with criticism of his superior officers, as well as of other special agents who had been connected with the cases; and every time the general land office urged a speedy completion of the work—which, it may be observed, was merely preparation. be observed, was merely preparatory to a trial of the questions involved in the entries, for the purpose of determining whether or not patent should issue-Glavis advanced some more or less specious reasons why he was not ready to formulate objections and proceed.

formulate objections and proceed to Was Not Hampered.

"Instead of hampering or interfering with him, every facility was given to him by the interior department, and with one or two immaterial exceptions, every request for assistance was promptly granted. Had the department

desired to improperly pass the claims to patent it might have done so in January, 1908, by simply acting on the favorable reports of Special Agent Love, without notifying Glavis that the claims had been clear listed; or, when the field work was re-districted, these claims might have been left in charge of the new chief of field division at Portland when Glavis was transferred to Seattle.

"Fourth-Glavis' claim that he pre-"Fourth-Glavis' claim that he prevented the government from being defrauded by procuring a reference to the attorney general of the questions of law involved, and the overruling by him of an opinion written by Assistance Secretary Pierce, which would have enabled the Cunningham claims which shows:

Disproved by the Record. When He Made Charges Against
Secretary Ballinger.

Disproved by the Record.

"(1) That the letter submitting the questions to the attorney general, the form of which was prepared by Mr. Schwartz in conference with Glavis, and was in part suggested by him, by its very terms excluded any possible reference to the Cunningham claims;

"(2) That with the explanation of formerly chief of the field division of the general land office suffered of megalomania and was not imbued with a deep sense of patriotic duty in making

opinion.
"Fifth-The intervention of the for-Alaska according to Attorney General George Wickersham, whose report of September 11 on the controversy was sent to congress today by President sent t Taft.
Attorney General Wickersham severely arraigns Glavis in his summary of

Cunningham claims, as Special Agent
Sheridan of the land office, who had
been sent to conduct the hearing on the documents submitted by Glavis and the claims, after a conference with Glavis, concurred in the advisability of a postponement until after the comof a posiponement until after the con-pletion of a field examination, al-though for reasons differing from any which had been previously advanced by Glavis, and so advised the general land office.

"Sixth-Glavis' 'report' and summary abound in contradictions and misstatements. They omit to a degree that amounts to absolute suppression letters, telegrams and other documents, some of which were in his possession, and others which were available to him and which completely rebut inferences he seeks to have drawn from those which he does submit.

The lowest temperature at this time of year always, or at least nearly so, comes after sun up. The sun's possession, and others which were a blanket over the earth holding down all of the heat which would arise in and the temperature goes down.

At 8 o'clock the temperature had risen three degrees. At 9 o'clock it mary abound in contradictions and misstatements. They omit to a de-gree that amounts to absolute sup-

Prolonged Delays,

Treleaven Has a Dream.

There was a decided shortage of gas last night, but considerable im-provement was noticeable this morn-

8 o'clock ....\*5|12 o'clock .... 8 9 o'clock ....\*4| 1 o'clock ....11 10 o'clock .....\*1| 2 o'clock ....12

This Is Record at the Government Observatory.

Standard Thermometer at Sur- Charges Against Bone Made by Bris- Practically All Agree Action face Registered 18 Below.

RISE IS VERY SLOW

Mark Is Reached.

Again the coldest weather of the present winter has been recorded and the thermometer this morning showed a temperature of five degrees be low zero. This thermometer is on the given it by the attorney general in his top of the Mulvane building where the wind has an opportunity to blow the frost away from the temperature measuring machine. On the ground thermometers show a temperature of

At the residence of T. B. Jennings weather observer, in the Potwin district, the standard thermometer showed a temperature of 18 degrees below zero at 7 o'clock. At the resi-dence of Weather Observer Flora, which is on higher ground, the thermometer recorded a temperature of 9 below at 7 o'clock. Other ther-mometers showed a temperature as low as 21 degrees below the nothing

The lowest temperature at this

risen three degrees. At 3 o'clock it had risen a full degree and was only four degrees below zero. From that time the rise was slow. Higher temperature is also forecasted for tonight and tomorrow. The wind has shifted to the south which naturally

night and tomorrow. The wind has shifted to the south which naturally brings warmer weather.

A year ago this morning there was recorded the coldest January 6 in the history of Kansas. The thermometer fell five degrees between midnight and morning and at 7 o'clock the mercury stood at 8 degrees below the nothing point.

with the government, he had been consulted by some of the claimants with respect to the issuance of patents, and had called upon Secretary Garfield for the purpose of assertaining the attitude of his department thereon. Neither his action nor any of his written or spoken expressions were favorable to these claimants. The utmost he did was to instruct the land office to promptly investigate and dispose of all pending cuses.

"Second—The suggestion that it was unlawful for Mr. Ballinger to have any professional relation with these claimants because of his previous incumbency of the office of commissioner of the land office is, in my opinion, unsumber of the land office is, in

JUST ABOUT ALL IN.

on You Rescue Party!

from two to five hours late again to-day. The Rock Island reports the trains as moving better than on yes-terday, the morning trains being from one to three hours behind the schedule.

# HAVE FALLEN FLAT.

tow Answered.

Washington, Jan. 6 .- President Taft has advised Senator Curtis that Sen-ator Bristow had not as yet sent in his ants to procure patents on their claims is absolutely disproved by the record, Several Hours Before the Zero peka pension agency and internal reverecommendations for agent of the Tonue collector of the state. The president indicated his willingness to hear the merits of the various candidates discussed as soon as he heard from

Bristow.

The charges filed by Bristow against the appointment of Harry J. Bone as United States district attorney have fallen flat. He charged incompetency and misconduct of office in regard to certain illegal land fencing cases in Kansas. Upon a thorough investigation in the department of justice, it was found that Bone had acted entirely upon an order of President Roosevelt in the matter.

# TO HUNT SOUTH POLE.

England Promises \$100,000 for th Expedition.

London, Jan. 6.—The Scott expedition in search of the South pole is now assured, the government having promised today \$100,000 towards the \$200.000 which is the estimated expense. Heretofore the public subscriptions have hung fire, a total only of between \$55,000 and \$60,000 having been raised; but there will be no difficulty now in procuring the small balance required.

The expedition will set forth in July.

ance required.

The expedition will set forth in July. There is little doubt that the reported activity among the American Arctic explorers who advocate a South polar expedition proved a convincing factor which determined the government to assist Captain Herbert F. Scott.

# **AERO CLUB CONVENTION**

First National Meeting to Be Held in St. Louis.

New York. Jan. 6.-The first national is to be held in St. Louis late in January, according to an announcement made here today. The meeting will be in charge of Cortlandt Field Bishop, who will present to the delegates a new constitution and bylaws and will outline the general plan for a new federation. The Aero Club of America, will remain the head of the American club and the proposed federation will be similar to the national groups of aero clubs now existing in European countries.

There has been remarkable growth among aero clubs in the west recent-ly," said Mr. Bishop, who leaves to-day to attend the Los Angeles aviation west is now quite as keen as in the east. The proposed federation has a large and growing field for its activities and should be a great assistance to the cause of aviation."

# WITH \$14,000 ON HIM.

hich enacts:

"It shall not be lawful for any per on appointed after the first day of Juneau office. No proceeding what law is as counsel, attorney, agent for the prosecutions or to take any secution of any claim against the United States which was pending in either of said departments while he was such officer, clerk, or employe no in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall within two years next after he shall within two years next after he shall be have ceased to be such officer, clerk, or employe."

The Harlan Case.

diately transmance of the prosecutions or to take any staken by him to bring these criminal prosecutions or to take any staken by him to bring these criminal prosecutions or to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of to take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of take any staken by him to bring these criminal prosecutions of the cannot be any of the departments while he was any staken by him to bring these criminal prosecutions of the same and to take any staken by him to bring these criminal prosecutions of the constitution of the southwest wind being responsible. This section of the country could not generate enough to tha

Lawyers Talk About Expulsion of High School Boys.

Was Unnecessarily Harsh.

MAY NOT BE LEGAL.

Question Whether Action Would Stand in Law.

Supt. Whittemore Advises Frat Members to Withdraw.

Topeka attorneys are practically nanimous in their opinion that the action of the board of education in expelling from school four boys belonging to fraternities was unnecessarily harsh and severe, Some of them assert that the action is clearly il-

The feeling seems to be that the boys in violating the ruling of the board acted through carelessness or thoughtlessness rather than from a malicious desire to violate the rules of the board or a determination to belong to fraternities despite the rul-ing against it. And the feeling seems be that they should be dealt with boys rather than as men who had

wiolated a statute.

Maj. A. M. Harvey said he thought the action of the board would not stand in the courts and that if the matter was taken up in the courts the boys could be reinstated in school. He also expressed a doubt that the anti-

fraternity law was valid.

"This is a curbstone opinion," he said, "but I think the courts would decide against the board of education if it was checked up to them. The action of the board keeps the boys out of school for a year I don't think of school for a year. I don't think such a ruling would stand in this case. Besides, I doubt the validity of the law under which this ruling is made." Captain Waters' View.

Captain J. G. Waters, while deplor-ing the fact that the boys had violated the law, declared the punish-ment was too severe, and that the boys should not be deprived of a

boys should not be deprived of a year's schooling because of the wrong they had done.

"The boys who belonged to a fraternity order were violating the law and no boy should commence life by violating the law," said Captain Water. "They should let that job out to J. Pierpont Morgan and the Missourian who occasionally comes here sourian who occasionally comes here sourian who occasionally comes here to infract our prohibitory law. The last thing a boy should do is to bring the law into disrespect. They say that some of these boys told falsehoods and denied belonging to fraternities when they did belong, and that they afterward confessed and apologized. If they stood up straight and made such a confession they should be praised a confession they should be praised for their manhood and then punished. not like the hero on the Claymore was punished, but such a punishment as punished, but such a punishment as would not humiliate or debase them not destroy their manhood, but just enough to smart their flesh. And then they should be allowed to return to school, graduate at the head of their class and then stand for the first office. school, graduate at the head of their class and then stand for the first office that is within their right and reach."

John Switzer was of the opinion that the action of the board was all right, but said that the same punishment should be meted out to every the same punishment should be meted out to every the same punishment should be a fraternity. It is manufactured in the high school previous to the passage of the fraternity law have disbanded and if they have not that is what we want to learn.

"Those whose names have been handed to me as members of secret societies are not necessarily suspected as better who helonged to a fraternity. It ment should be meted out to every boy who belonged to a fraternity. It ing members so I would rather not give punish another; but the fraternity, he believed, was an evil institution in the high school and boys who belonged to it in violation of the law should be it in violation of the law should be punished. But there should be no discrimination in the administering of the punishment.

Quinton Has No Children.

Eugene Quinton was of the opinion that the board had not exceeded its authority. Neither did he think the punishment was too severe. But he believed the same punishment should be visited upon other students who belonged to fraternities, There should he he said you discrimination in the Medical College Burns.

Richmond, Va., Jan. 6.—The University College of Medicine was destroyed by fire here today. The frain service is still impaired as a result of the cold weather. The Santa Fe reports the trains running were saved. Loss, \$150,000.

Medical College Burns.

Richmond, Va., Jan. 6.—The University College of Medicine was destroyed by fire here today. The first suspension, but said that the work stroyed by a nurse in the Virto be stamped out, and he was in favor of stamping them out. But then Quinton has no children of his own.

J. E. Larimer, who by the way is a

# chelor, thought the action of the hool board would stand in the courts

school board would stand in the courts, because suspension or expulsion was the recognized form of punishment. The action might be condemned in court because it was unreasonable punishment. That depended solely upon the view the court took of the matter. But that the board had punished the offenders too severely, in light of their offense, was his opinion.

severely, in light of their offense, was his opinion.

"It may," he said, "be the means of stopping the education of a boy. And none of these boys are bad boys. None of them are unmanageable in the school room. They are not vicious boys whose evil influence permeates the entire school to the detriment of other children. They are careless, "live" boys who violated this order of the board in a thoughtless manner. It seems to me the punishment is too severe. There are a lot of men who would not be where they are now if they had not had another chance. I think the sentence of the board is mightly hard on the boys who are no worse than the rest of the boys in school. If all boys who violated rules of the schools were expelled or suspended some of us would have had rather a hard time getting an education."

"Withdraw" Whittemore's Advice. It is Superintendent L. D. Whitte-more's advice to all high school students who are now active members of frater-rities or sororities to withdraw imme-diately.

"I have had lists of names handed to

ne of those suspected of being members of some sorority or fraternity and I am asking for statements from their parents as to whether or not they be ong to secret organizations," said Prin-

long to secret organizations," said Principal Scout today.

"There have been no more suspensions made at all. I had asked some of the students to bring statements from their parents but they came to school without them and I asked them to get them largely during the vacant hours and as far as I am aware no one missed the day's work.

"When a nerson is suspended he is

"When a person is suspended he is reinstated through the superintendent. Some of the students must have imagined that they had been suspended. I have statements from those who were formerly members of Lambda Alpha Lambda and Delta Omicron Omicron who are now attending school. They claim that their organizations have been dishanded.

"It is justice that we are aiming at —we do not want to put students out of school unjustly. I know it to be a fact that the Owis burned their charter several years ago, and they claim that they are purely a local set of girls." However, the Owl organization is kept intact and girls are pledged and initiated just as they used to be.

It certainly is not fair to the four boys suspended if there are scores of others in the high school who are just as much members of secret organizations as they were, and no effort should the spared in ascertaining who the other offenders of the law may be.

There seems to be a prevalent idea that just so a sorority or fraternity is not of a national character it is an entirely different question, but the law would hardly make the exception. At Washburn college there are fraternities that are local but are conducted along teaching the same lines as the markets. "It is justice that we are aiming a

Washburn college there are fraternities that are local but are conducted along foentically the same lines as the national organizations.

Of course the members of the various high school fraternities and sororities would naturally through fear of being dealt with as were the four boys of Kappa Alpha Pi who admitted their connection with their fraternity, resort to means that would put the authori-

out the names.

# BAD BREAK IN COTTON.

Panic Inaugurated Yesterday Continues Today.

New York, Jan. 6.—The sensational movement which threw the cotton market into a panic late yesterday was renewed at the opening today with the remaining long interests utterly demoralized by the weak showing of the Liverpool cables and the rapidity of yesterday's break.

Right after the opening March contracts sold at \$15.05, May at \$15.30 and July at \$15.20, or 30 to 37 points net lower and from \$5.60 to \$6.25 per bale below the high records made late in December. This represents a break of from 92 to 102 points compared with the prices ruling in the market just before 2 o'clock yesterday afternoon, during the progress of which hundreds of thousands of bales had been liquidated by frightened longs.

With many traders convinced the decline was the result of purely speculative conditions, a big demand developed around the low level and prices rallied 25 er 30 points before the end of the first hour, although liquidation continued.

### BACK TO BERMUDA.

Mark Twain Again Goes in Search o Health.

New York, Jan. 6.—In far from good health and grief stricken at the recent death of his daughter, Jean, Samuel L. Clemens, better known as Mark Twain, sailed for Bermuda.

Mr. Clemens said the allment of which he complained on his arrival from Bermuda two weeks ago had returned. He attributed the pain in his left breast, however, to indigestion, and "that is not the sort of allment that causes people to die," he added. He expects to stay at least a month, the time of his return depending upon the improvement in his health.

Kid Gleason Draws Release. Philadelphia Jan. 6.—The Philadelphia National league baseball club has decided to release Kid Gleason, its former second baseman. The club will make an effort to find him a place as manager of a minor league team, Aeronaut Falls 30 Feet.

Cannes, France, Jan. 6.—An Englishman named Meal, who was operating an aeroplane of the Bieriot type, fell with his machine from a height of 30 feet roday. Meal was seriously injured and the aeroplane was ruined.

Weather Indications, Chicago, Jan. 6.—Forecast for Kan-sas: Fair, with rising temperature tonight and Friday.

Government Thermometer at Ottawa Registers 16 Below.

Much Suffering Among Users of Natural Gas.

CATTLE ARE DYING

In Western Kansas by Hundreds Where Unprotected.

Low Temperatures Extend into Arkansas and Texas.

Kansas City, Mo., Jan. 6.-Eighteen legrees below zero was recorded unofficially in Kansas today, the lowest temperature in this part of the southwest in 12 years. The intense cold wave covered Missouri and reached into Oklahoma, Arkansas and Texas. Railroad schedules were still demoralized. A shortage of natural gas from the Kansas fields caused much suffering to thousands of families in western Missouri and in eastern and central Kansas who depend almost solely upon gas for fuel, and on the plains of western Kansas unprotected cattle were reported dying by the hundreds.

The government thermometer at Ottawa, Kan., recorded 16 below, the coldest since 1898.

In Missouri, the weather bureau at Kansas City reported 4 below officially with street thermometers reaching 10 below, and St. Joseph, unofficially reported 13 below.

At Ardmore, in southern Oklahoma close to the Texas line, it was 16 above zero, a fall of 6 degrees since yesterday. At Fort Smith, Ark., it was 16 above; at Abliene, Tex. 16 above; and at Fort wave covered Missouri and reached

At Fort Smith, Ark., it was 16 above; at Abilene, Tex., 16 above, and at Fort Worth, 20 above zero.

Ten Below at Colorado Springs. Colorado Springs, Colo., Jan. 6.—The thermometer reached 10 below zero last night. The continued cold weather of the last few days has caused considerable loss of unprotected sheep and cattle on the ranges.

Iowa Wants Coal. Des Moines, Ia., Jan. 6.—Following conference between Governor Carroll and Railroad Commissioner Ketchum in regard to the coal famine. ketchum in regard to the coal famine, which has become serious in Iowa cities and towns, telegrams were sent to the officials of every railroad entering Iowa urging the necessity of the delivery of coal shipments. Unnecessary confiscation of coal was criticised. The railroads were hopelessly tied up yesterday by the heavy snowfall of the day before, but freights were moving slowly today.

At Sloux City 17 Below. Sloux City, Ia., Jan. 6.—It was 17 below zero here this morning, the coldest

Coldest of the Winter. St. Joseph, Mo., Jan. 6.—It was 13 degrees below zero here at 7 o'clock this morning, the coldest of the winter. Much suffering of live stock is reported. This is the coldest since

Thirteen Below at Leavenworth. Leavenworth, Kan., Jan. 6.—Today was the coldest of the season, the mercury registering 13 below zero at 6 o'clock and 10 below at 8 o'clock. Five Below Zero at Emporia.

Emporia, Kan., Jan. 6.—The gov-ernment thermometer recorded 5 below zero here today. Coldest of Winter at Salina

Salina, Kan., Jan. 6.—Fifteen degrees below zero was recorded here today, the coldest of the winter. Many farmers remained up all night keeping their cattle moving about to prevent the animals freezing to death.

# ONE BELOW AT WICHITA.

Central Kansas Experienced Coldest Night of Winter.

Wichita, Kan., Jan. 6 .- South cenral Kansas experienced the coldest night of the winter last night when the thermometer registered one degree be-low zero. The sky was clear and an absence of wind made the cold more endurable than the higher tempera-tures of some other nights of the

winter.

Today dawned with a clear sky and a rising temperature. The ground is thinly coated with snow and sleet which fell early this week. Practically no suffering among live stock is reported and the snow and freezing weather are excellent for winter wheat,

## FROM BANK TO BANK.

The Mississippi River Is Frozen at St. Louis.

St. Louis, Jan. 6.—The ice gorge, which was ten miles below St. Louis yesterday, was increased during the night by floes until it peached the local harbor today. For the first time in four years the river at this point is frozen from bank to bank. The temporary three degrees where perature was three degrees above zero. The weather bureau announced the Missisaippi river from Chester, Ill., to St. Louis, 60 miles, was one continual ice gorge.

# ON A GOLD BASIS.

Guatemala Inaugurates a New System of Finance.

New Orleans, La., Jan. 6.—That plans for the re-financing of Guatemala will soon be put into execution is the conclusion reached here with parties with Central American interests. It is stated that the Guatemala government successfully concluded negotiations begun some months ago for a loan of \$20,000,000 by a New York financial institution. The transaction, it is said, provides for the placing of Guatemala on a gold basis and the establishment of a central bank in Guatemala City.

Founder of D. A. R. Dead. New York, Jan. 6.—Mrs. Flora Adams Darling, founder of the Daugh-ters of the Revolution and United Daughters of 1812, died suddenly here today from apoplexy at the home of her brother, John Quincy Adams. She was 70 years of age.